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January 5, 2024

Hon. Rukhsanah L. Singh, U. S. Magistrate Judge
United States District Court – District of NJ
Clarkson S. Fisher Building & U. S. Courthouse
402 East State Street, Court Room 7W
Trenton, New Jersey 08608

Re: *Johnson & Johnson Talcum Powder Products, Marketing, Sales Practices, and Products Liability Litigation, MDL 2738*

This document relates to:

Gloria Graham, 3:17-cv-07186
Theresa Hayden, 3:17-cv-07000
Sandra Johnson, 3:17-cv-11449
Bradley Jones obo Donna Jones, 3:17-cv-08288
Edna Keys-Chavis, 3:17-cv-07370
Patsy Kinsel, 3:17-cv-09059
Martha Lawrence, 3:17-cv-06982
Tanashiska Lumas, 3:16-cv-06694
Viola Smith, 3:17-cv-07021
Gasecener White, 3:17-cv-12598
Betty A. Yost, 3:17-cv-12512
Brenda Anderson, 3:17-cv-02943
Shirley Conte, 18CV000583- Superior Court of California, Monterey County
Altagracia Cortes de Marron, CIVDS1803670, Superior Court of California, San Bernardino County
Yvonne Garlock, 18CECG00563, Superior Court of California, Fresno County
Carolina Johnson, BC694135, Superior Court of California, Los Angeles County
Gladies Wheet, ATL-L-000211-18, Superior Court of New Jersey, Atlantic County

Dear Magistrate Singh:

My firm represents the above seventeen (17) Plaintiffs. I write on behalf of these Plaintiffs in response to Defendants' PPF Deficiency Notice letter, filed on December 14, 2023, (Dkt. 28797) and pursuant to the Court's Order issued on December 18, 2023.

On November 10, 2023, counsel for Plaintiffs emailed counsel for J&J and informed them that Plaintiffs Sandra Johnson, Jones, Anderson, and Wheet listed by J&J had previously submitted plaintiff profile forms. Counsel for J&J has not responded as to removing Gladies Wheet from their deficiency list. A PPF was submitted for Gladies Wheet via MDL Centrality on May 2, 2023, per Amended CMO No. 11 of the Superior Court of New Jersey Law Division: Atlantic County. J&J counsel agreed to remove the following three (3) plaintiffs from its deficiency list:

1. Sandra Johnson, 3:17-cv-11449
2. Bradley Jones obo Donna Jones, 3:17-cv-08288
3. Brenda Anderson, 3:17-cv-02943

Counsel for Plaintiffs also emailed J&J counsel on November 13, 2023, regarding another four clients listed on the deficiency list: Conte, Cortes de Marron, Garlock, and Carolina Johnson. These cases are not part of MDL 2738. These four Plaintiffs responded to discovery requests in 2018 per JCCP 4872 CMO No. 9, by submitting plaintiff fact sheets. Counsel for J&J has not responded to Plaintiffs counsel's request to remove the below four client cases from the MDL deficiency list:

1. Shirley Conte, 18CV000583- Superior Court of California, Monterey County
2. Altagracia Cortes de Marron, CIVDS1803670, Superior Court of California, San Bernardino County
3. Yvonne Garlock, 18CECG00563, Superior Court of California, Fresno County
4. Carolina Johnson, BC694135, Superior Court of California, Los Angeles County

Barrett Law Group, PA has no objections to the dismissal of the two (2) following cases for the following reasons:

1. Gloria Graham, 3:17-cv-07186. Ms. Graham passed away on December 27, 2017, and her only son does not wish to proceed with the litigation.
2. Martha Lawrence, 3:17-cv-06982. Ms. Lawrence passed away on January 22, 2018, and her surviving heir has filed a new case with other counsel.

Barrett Law Group, P.A, is unable to take a position on the dismissal on the remaining seven (7) clients as shown below:

1. Theresa Hayden, 3:17-cv-07000. Ms. Hayden passed away on May 19, 2022, and next-of-kin is unresponsive to our calls, emails and letters;
2. Edna Keys-Chavis, 3:17-cv-07370. Ms. Keys-Chavis passed away on July 24, 2020, and next-of-kin is unresponsive to our calls, emails, and letters;
3. Patsy Kinsel, 3:17-cv-09059. Ms. Kinsel passed away on December 14, 2018, and despite best efforts, counsel has been unable to locate next-of-kin through calls, emails, and letters;
4. Tanashiska Lumas, 3:16-cv-06694. Ms. Lumas is non-responsive and counsel has been unable to obtain medical records documenting cancer diagnosis;

5. Viola Smith, 3:17-cv-07021. Ms. Smith is non-responsive and counsel has been unable to obtain medical records documenting cancer diagnosis;
6. Gasecener White, 3:17-cv-12598. Ms. White passed away on June 6, 2020, and despite best efforts, counsel has been unable to locate next-of-kin;
7. Betty A. Yost, 3:17-cv-12512. Ms. Yost passed away on July 29, 2018, and despite best efforts, counsel has been unable to locate next-of-kin.

For all of the reasons raised above, Plaintiffs' counsel respectfully requests that for all the Plaintiffs who previously submitted plaintiff profile forms that the Court deny Defendants the opportunity to file motions to dismiss Plaintiffs' claims. For all other herein referenced Plaintiffs, counsel will be present at the January 10th telephone conference to answer any questions that the Court may have.

Respectfully submitted,

/s/ Katherine B. Riley

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